

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Myers

Appln No.:

10/750,789

Art Unit:

TBD

Filed: January 2, 2004

Examiner:

D. Shay

For:

LENTICULAR REFRACTIVE

SURGERY OF PRESBYOPIA,

OTHER REFRACTIVE ERRORS AND CATARACT RETARDATION Atty. Docket: 32/1198US(3)

Director for Patents Alexandria, VA 22313-1450

SUBMISSION OF INFORMATION DISCLOSURE CITATION

Sir:

Enclosed please find a PTO form 1449 for the above referenced application.

Copies of the cited references have not been included as copies were previously provided to Examiner Shay during prosecution of Application Number: 08/821,903, a parent of the instant case. As the number of documents are quite large, Applicant did not wish to waste paper by providing an additional duplicate copy.

If the Examiner requires copies of any or all of cited reference(s) or if there are any questions regarding this Submission, the Examiner is invited to contact the undersigned at (314) 444-7783.

Respectfully submitted,

Lewis, Rice & Fingersh, L.C.

Kirk A. Damman

Registration No. 42,461 Attorney for Applicants

Dated: June 11, 2004

Customer Number: 22822 Lewis, Rice and Fingersh, L.C. 500 N. Broadway, Suite 2000 St. Louis, MO 63102-2147

Tel: (314) 444-7600 Fax: (314) 444-7783

| CERTIFICATE OF MAILING BY FIRST C Applicant(s): Myers 1PE | LASS MAIL (37 CFR 1.8) | | Docket No. 32/1198US(3) |
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| Serial No. 10/750,789 July 1 5 2004 Filing Date | Examiner TBD | <u> </u> | Group Art Unit |
| Invention: Lenticular refractive surgery of presbyop | oia, other refractive errors and cata | aract re | etardation |
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| is being deposited with the United States Post Commissioner for Patents, P.O. Box 1450, Alexan | | | une 11, 2004 (Date) |
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| | Assistant Com | ddress to: nmissioner for Patents gton, D.C. 20231 | | | |
| | 37 C | CFR 1.97(b) | | | |
| of a national ap three months of application; befo | Disclosure Statement submitted oplication other than a continued of the date of entry of the national ore the mailing of a first Office Ac filing of a request for continued expenses. | prosecution application under stage as set forth in 37 CFR stion on the merits, or before the xamination under 37 CFR 1.114 | 37 CFR 1.53(d); within 1.491 in an international e mailing of a first Office | | |
| | 37 C | CFR 1.97(c) | | | |
| CFR 1.97(b), pr Final Action un | 2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of: | | | | |
| ☐ the staten | ment specified in 37 CFR 1.97(e); | ; | | | |
| | OR | | | | |
| ☐ the fee se | et forth in 37 CFR 1.17(p). | | | | |
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| as described belo Charge the Credit and Charge at Certificate of Certify that this docum | mmissioner is hereby authorized by. A duplicate copy of this sheet the amount of y overpayment. In y additional fee required. Transmission by Facsimile* ent and authorization to charge deposition mile transmitted to the United States | Certificate of Mailin I certify that this document June 11, 2004 | ng by I | First Class Mail ee is being deposited e U.S. Postal Service | | |
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